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July 3, 2012

FILED VIA ECF

Honorable Joanna Seybert
United States District Court Judge
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

RE: United States v. Joseph Cefalu
(11 CR 824)(JS)

Dear Judge Seybert:

As the court will recall, on the last court date, June 14, 2012, the Government consented to, and the Court ordered, that home detention be eliminated as a condition of the defendant's release, as that condition has been inadvertently included at defendant's initial appearance. The Court, however, retained the condition of electronic monitoring by the pretrial services office. Since the June 14, 2012 court appearance, the undersigned has had several conversations with defendant's pretrial services officer, Arthur Bobyak, who is copied on this letter. Because there are currently no limitations on defendant's movement (he is not on house arrest, there is no curfew imposed, etc), aside from having to remain in the Eastern District of New York, Mr. Bobyak advises that electronic monitoring is a superfluous condition. For this reason, the Pretrial Services Office has indicated that it has no objection to the removal of the electronic monitoring device and to the elimination of electronic monitoring as a condition of defendant's release.

My office has recently contacted the Government concerning the issue raised in this letter. Thus far, the Government has not made its position known.

I thank the Court for its attention to this matter.

Sincerely,

Marc Agnifilo

cc: Pretrial Officer Arthur Bobyak